

gp 3735

Please type a plus sign (+) inside this box  +PTO/SB/82 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REVOCATION OF POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT

Application Number	10/004,969
Filing Date	December 3, 2001
First Named Inventor	Stephen Bresina
Group Art Unit	3739
Examiner Name	Not Yet Assigned
Attorney Docket Number	SPINE 3.0-2678

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

 A Power of Attorney or Authorization of Agent is submitted herewith.

OR

 Please change the correspondence address for the above-identified application to: Customer Number

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 Firm or Individual Name

Address

City

Country

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Telephone

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I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

Name

*Ned Lipes*

Signature

*Ned Lipes*

Date

8/22/02

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

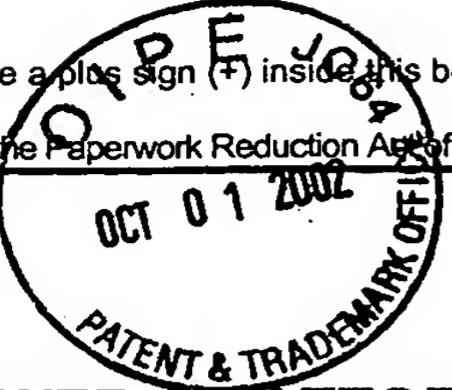
\*Total of 1 forms are submitted.

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	10/004,969
Filing Date	December 3, 2001
First Named Inventor	Stephen Bresina
Title	APPARATUS FOR FUSING ADJACENT BONE STRUCTURES
Group Art Unit	3739
Examiner Name	Not Yet Assigned
Attorney Docket No.	SPINE 3.0-2678

I hereby appoint:

Practitioners at Customer Number    
**OR**  
 Practitioner(s) named below:

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.  
**OR**  
 Practitioners at Customer Number    
**OR**

<input type="checkbox"/> Firm or Individual Name			
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Address			
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City	State	Zip	
Country	Telephone	Fax	

I am the:

- Applicant/Inventor.  
 Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

**SIGNATURE of Applicant or Assignee of Record**

Name	<i>Ned J. Lipes</i>
Signature	<i>Ned J. Lipes</i>
Date	<i>8-22-02</i>

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below\*.

\*Total of 1 forms are submitted.

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## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Stephen Bresina

Application No./Patent No.: 10/004,969 Filed/Issue Date: December 3, 2001

Entitled: APPARATUS FOR FUSING ADJACENT BONE STRUCTURES

Howmedica Osteonics Corp., a Corporation  
(Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government  
agency, etc.

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [x] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Stephen Bresina To: Surgical Dynamics Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012360, Frame 0656, or for which a copy thereof is attached.
2. From: Surgical Dynamics Inc. To: Howmedica Osteonics Corp.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[x] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9-22-02

Date

Ned Lipes  
Typed or printed name  
D. L. Lipes  
Signature  
Group President  
Title

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Form PTO-1595  
(Rev. 03/01)  
OMB No. 0651-0027 (0-1721/2002)

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Surgical Dynamics Inc.

2. Name and address of receiving party(ies)

Name: Howmedica Osteonics Corp.

Internal Address:

Street Address:

59 Route 17

Additional name(s) of conveying party(ies) attached?

Yes  No

3. Nature of Conveyance:

Assignment

Merger

Security Agreement

Change of Name

Other \_\_\_\_\_

Execution Date: July 1, 2002

City: Allendale

State: NJ

Zip: 07401

Additional name(s) & address(es) attached:

Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: \_\_\_\_\_

A. Patent Application No.(s):

08/064,547 08/856,916 08/988,331

B. Patent No.(s):

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP

6. Total number of applications and patents involved:

30

Internal Address:

Street Address: 600 South Avenue West

7. Total fee (37 CFR 3.41) \$ 1200.00

\$ 1200.00

Enclosed

Authorized to be charged to deposit account

Authorized to be charged to credit card  
(Form 2038 enclosed)

8. Deposit account number: 12-1095

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Keith E. Gilman

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 8

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RECORDATION FORM COVER SHEET  
(continued)

Additional Applications and/or Patents (4. Continued):

## Additional Patent Application Numbers

## 4A. Continued:

09/358,188  
09/436,955  
09/487,942  
09/543,288  
09/545,320  
09/718,968  
09/778,179  
09/788,693  
09/789,902  
09/790,043  
09/815,068  
09/815,500  
09/815,504  
09/817,930  
09/921,876  
09/968,694  
10/001,695  
10/004,969  
10/012,127  
10/041,541  
10/091,708  
10/118,205  
10/157,649  
10/159,235  
60/351,248  
60/351,465  
60/385,994

Additional numbers attached? No

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# Delaware

PAGE 1

## *The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"SURGICAL DYNAMICS INC.", A DELAWARE CORPORATION,  
WITH AND INTO "HOWMEDICA OSTEONICS CORP." UNDER THE NAME OF  
"HOWMEDICA OSTEONICS CORP.", A CORPORATION ORGANIZED AND  
EXISTING UNDER THE LAWS OF THE STATE OF NEW JERSEY, AS RECEIVED  
AND FILED IN THIS OFFICE THE FIRST DAY OF JULY, A.D. 2002, AT 9  
O'CLOCK A.M.



2065103 8100M  
020429727

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1865492

DATE: 07-02-02

CERTIFICATE OF OWNERSHIP AND MERGER  
MERGING  
SURGICAL DYNAMICS INC.  
INTO  
HOWMEDICA OSTEONICS CORP.

UNDER SECTION 253 OF THE GENERAL  
CORPORATION LAW OF THE STATE OF DELAWARE

Pursuant to the provisions of Section 253 of the Delaware General Corporation Law (the "DGCL"), Howmedica Osteonics Corp., a corporation organized and existing under the laws of the State of New Jersey (the "Corporation"), hereby executes the following Certificate of Ownership and Merger and certifies as follows:

1. The Corporation owns all of the outstanding shares of each class of stock of Surgical Dynamics Inc., a corporation organized and existing under the laws of the State of Delaware ("SDI").
1. The Corporation, by the following resolutions of its Board of Directors, duly adopted by unanimous written consent dated July 1, 2002, determined to merge SDI into itself (the "Merger"):

RESOLVED, that it is hereby determined to be advisable and for the benefit of this Corporation that this Corporation merge into itself, and assume all of the liabilities and obligations of, its wholly owned subsidiary, Surgical Dynamics Inc., a Delaware corporation ("SDI"), pursuant to the Agreement and Plan of Merger, dated as of July 1, 2002, between this Corporation and SDI in the form submitted to the undersigned.

RESOLVED, that this Corporation shall cause to be executed, filed and recorded the documents prescribed by the laws of the State of New Jersey and the State of Delaware and will cause to be performed all other necessary and appropriate acts to carry out the purposes of the foregoing resolution.

3. The Corporation hereby agrees that it may be served with process in Delaware in any proceeding for enforcement of any obligation of SDI, as well as for enforcement of any obligation of the Corporation arising from the Merger, and the Corporation hereby irrevocably appoints the Secretary of State of Delaware as its agent to accept service of process in any such suit or other proceedings and a copy of such process shall be mailed by the Secretary of State to Howmedica Osteonics Corp. at the following address: 59 Route 17, Allendale, New Jersey 07401-1677.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Merger as the  
act and deed of the Corporation this 1st day of July, 2002, and affirms the statements contained  
herein are true under the penalties of perjury.

HOWMEDICA OSTEONICS CORP.

By:

  
Name: Edward B. Lopes  
Title: Group President

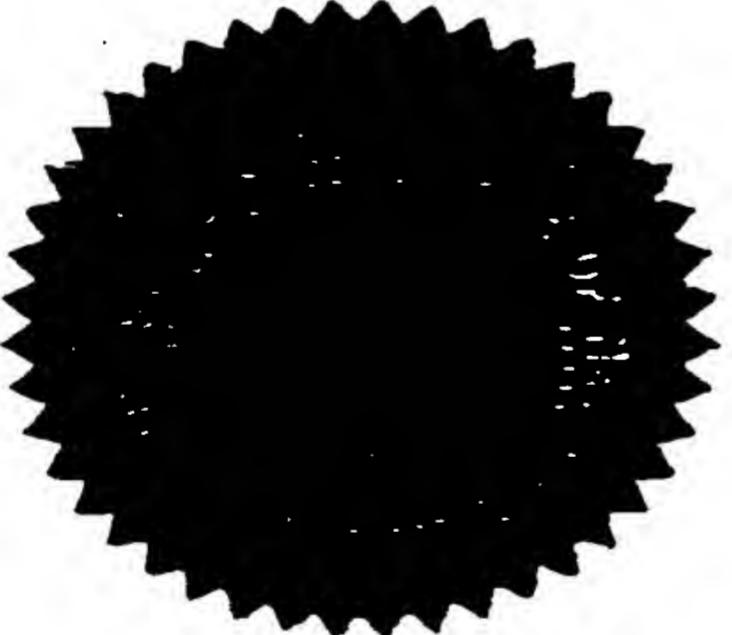
NY 50000

STATE OF NEW JERSEY  
DEPARTMENT OF TREASURY  
FILING CERTIFICATION (CERTIFIED COPY)

HOWMEDICA OSTEONICS CORP.

I, the Treasurer of the State of New Jersey,  
do hereby certify, that the above named business  
did file and record in this department the below  
listed document(s) and that the foregoing is a  
true copy of the  
Certificate of Merger  
Filed in this office  
July 1, 2002  
as the same is taken from and compared with the  
original(s) filed in this office on the date set  
forth on each instrument and now remaining on file  
and of record in my office.

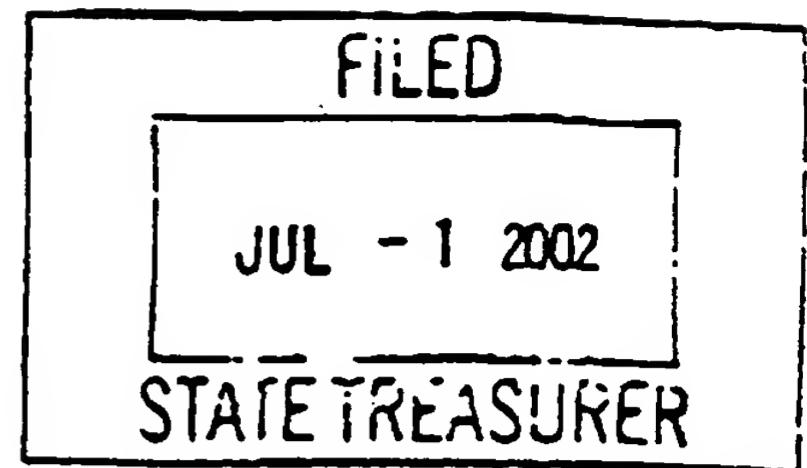
IN TESTIMONY WHEREOF, I have  
hereunto set my hand and  
affixed my Official Seal  
at Trenton, this  
2nd day of July, 2002



*John E. McCormac*

John E McCormac, CPA  
State Treasurer

CERTIFICATE OF MERGER  
OF  
SURGICAL DYNAMICS INC.  
AND  
HOWMEDICA OSTEONICS CORP.



To the Secretary of State  
State of New Jersey

Pursuant to the provisions of Section 14A:10-5.1 of the New Jersey Business Corporation Act, it is hereby certified that:

1. The names of the merging corporations are Howmedica Osteonics Corp., which is a business corporation of the State of New Jersey, and Surgical Dynamics Inc., which is a business corporation of the State of Delaware and a wholly owned subsidiary of Howmedica Osteonics Corp.

2. Howmedica Osteonics Corp. will continue its existence as the surviving corporation pursuant to the provisions of the New Jersey Business Corporation Act.

3. Annexed hereto and made a part hereof is the Agreement and Plan of Merger for merging Surgical Dynamics Inc. with and into its parent corporation, Howmedica Osteonics Corp., as approved by unanimous written consent of the directors of Howmedica Osteonics Corp. dated July 1, 2002.

4. The number of outstanding shares of Surgical Dynamics Inc. is 10, all of which are of one class and are owned by Howmedica Osteonics Corp.

5. The applicable provisions of the General Corporation Law of the State of Delaware, the jurisdiction under which Surgical Dynamics Inc. was organized, with respect to

the merger herein provided for will, upon compliance with filing and recording provisions, have been complied with.

Executed on July 1, 2002.

HOWMEDICA OSTEONICS CORP.

By: Edward B. Lipes  
Edward B. Lipes, Group President